

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

ELENA ELIZABETH OVANDO,

Plaintiff,

v.

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

Case No. 1:21-cv-000030-SAB

ORDER DENYING APPLICATION TO
PROCEED *IN FORMA PAUPERIS* AND
REQUIRING PLAINTIFF TO FILE LONG
FORM APPLICATION

(ECF NO. 2)

TWENTY DAY DEADLINE

Plaintiff Elena Elizabeth Ovando filed a complaint on January 8, 2021, challenging a final decision of the Commissioner of Social Security denying her application for disability benefits. Plaintiff did not pay the filing fee in this action and instead filed an application to proceed *in forma pauperis* pursuant to 28 U.S.C. § 1915. However, Plaintiff's application was not adequately completed. Plaintiff's application states that she has sources of income, but does not include the amount of the income. (ECF No. 2 at 1.) Rather, Plaintiff states that her husband receives Social Security and works three hours per day. (*Id.* at 2.) Plaintiff's application does not provide sufficient information for the Court to conclude that she is entitled to proceed in this action without prepayment of fees. Accordingly, the Court will order Plaintiff to complete and file an Application to Proceed in District Court Without Prepaying Fees or Costs (Long Form) – AO 239. If Plaintiff is unwilling to complete and submit the long form application, Plaintiff must pay the filing fee in full.

Accordingly, IT IS HEREBY ORDERED that:

1. Plaintiff's application to proceed *in forma pauperis* is DENIED without prejudice;
2. The Clerk of the Court is directed to forward an *in forma pauperis* application (Long Form) to Plaintiff;
3. Within **twenty (20) days** of the date of this order, Plaintiff shall either (1) pay the \$402.00 filing fee for this action, or (2) file an application to proceed *in forma pauperis* without prepayment of the fee; and
4. If Plaintiff fails to comply with this order, this action shall be dismissed.

IT IS SO ORDERED.

Dated: **January 8, 2021**



UNITED STATES MAGISTRATE JUDGE